IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

WP(C).No. 15097 of 2007(S)

PETITIONER:

SREEKUMAR S.MENON,
DATE ENTRY OPERATOR, TACO CABLE COMPANY LTD.,
ERUMPANAM, COCHIN, RESIDING AT LAKSHMI VIHAR,
EDAPPALLY NORTH, KOONAMTHAI.

BY ADV. SRI.A.N.RAJAN BABU
SMT.K.SUNITHA VINOD
SRI.P.GOPALAKRISHNAN (MVA)

RESPONDENTS:
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1. TRACO CABLE COMPANY LTD.,
REGISTERED OFFICE XXVIII/1242, K.S.H.B.COMPLEX,
PANAMPALLY NAGAR, COCHIN-36.

2. BOARD OF DIRECTORS,
TRACO CABLE COMPANY LTD., REPRESENTED BY ITS
MANAGING DIRECTOR, XXVIII/1242, K.S.H.B.COMPLEX,
PANAMPALLY NAGAR, COCHIN-36.

3. V.M. JOSEPH,
VADAKKAVASSERIL HOUSE, CHAMAKKALA ROAD,
HMT COLONY P.O., KALAMASSERY.

4. A.R. BALACHANDRAN NAIR,
AMBIKA VILASAM, VATTUKULAM P.O., VAYALA P.O.,
KOTTAYAM.

5. A.M. MUHAMMAD SALAM,
NESTLE, MALLUPPAM, MANNAM NORTH P.O., PARAVOOR.

R1 & R2 BY STANDING COUNSEL ` MR.MAJNU KOMATH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN, J.

W.P.(C) No.15097 of 2007

Dated, this the 23rd day of May, 2007

JUDGMENT

H.L.Dattu, C.J.

An employee working in Traco Cable Company Limited (Company for short), is before us in this writ petition filed under Article 226 of the Constitution of India.

2. Petitioner claims that he is a public spirited citizen and also a tax payer. In his opinion, the action of the Board of Directors of the first respondent Company in withdrawing/cancelling the earlier order of termination that was issued against respondents 3 to 5 is not only arbitrary but also without jurisdiction. Therefore, a request is made in the petition for appropriate proceedings to be taken by this Court by calling for the records and examining the same and cancel the orders passed by the Board of Directors of the first respondent Company in cancelling the order of dismissal passed against respondents 3 to 5.

3. In our view, the petitioner has no locus standi to present this writ petition. He is not an aggrieved person. He is not

asking us to protect the fundamental rights of the citizens of this State. The interest that is being shown by the petitioner, in our opinion, is total vengeance against respondents 3 to 5. This type of writ petition that is filed, in our opinion, is private interest litigation and it can never be construed as public interest litigation. In that view of the matter, we decline to entertain this writ petition and it stands rejected. Ordered accordingly.

H.L.DATTU, CHIEF JUSTICE

K.T.SANKARAN, JUDGE

vns